

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

WELLMAN, INC.,

Plaintiff,

v.

Case No. 05-C-1263

TEIJIN LIMITED, JEIJIN LTD.,
TEIJIN POLYESTER (Thailand)
LIMITED, and TEIJIN (Thailand)
LIMITED,

Defendants.

ORDER

This matter is before the court on cross-motions for entry of a protective order. Both parties have submitted their proposed protective orders and at the telephone scheduling conference held by the court on October 6, 2006, the court indicated that it would sign the order presented by the defendants with the understanding that future modifications may be necessary. Upon further consideration, however, I now share plaintiff's concern that certain provisions of the order proposed by the defendants may be so onerous and burdensome as to unfairly prejudice the plaintiff's in the prosecution of their case or require excessive overview by the court. The court's concerns center primarily around the extensive preconditions to disclosing the parties' protected information to technical advisors, consultants, and others, as set forth in paragraph eleven, and the breadth of the prosecution bar set forth in paragraph eighteen. In truth, upon reconsideration, plaintiff's version, though incomplete, seems a more workable approach.

Based upon the foregoing, I decline to enter the order prepared by the defendants and instruct the parties to continue their negotiations in an effort to reach agreement on the form of the proposed order. The clerk will set a hearing two weeks from today's date at which time the parties will appear and present their respective arguments in person in the event they are unable to agree.

SO ORDERED this 12th day of October, 2006.

s/ William C. Griesbach

William C. Griesbach

United States District Judge